

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

TROY TIMBERS,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT'S
PRO SE MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 1:03-CR-97 TS

This matter is before the Court on Defendant Troy Timber's *Pro Se* Motion for Early Termination of Supervised Release, filed July 28, 2008. The government has failed to respond to the Motion. Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant's Motion, as set forth below.

BACKGROUND

On August 12, 2005, Defendant was sentenced to a 24-month term of imprisonment, to be followed by a 36-month term of supervised release. Defendant was also ordered to pay a fine of \$5,000.00. Judgment was entered on August 15, 2005. Defendant began his term of supervised release on May 25, 2007.

DISCUSSION

18 U.S.C. §§ 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

The Court has considered these factors, has reviewed the docket and case file, and has consulted with Defendant's supervising officer. It has been represented to the Court that Defendant has paid his fine, has complied with the terms of his supervised release, and has performed well on supervised release.

Therefore, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

CONCLUSION

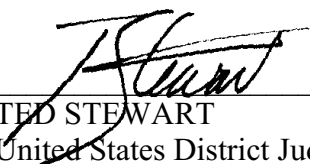
Based upon the above, it is hereby

ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 62) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately, and this case shall be closed.

DATED this 22nd day of September, 2008.

BY THE COURT:



TED STEWART
United States District Judge